

**SUPREME COURT MINUTES
MONDAY, MARCH 3, 2003
SAN FRANCISCO, CALIFORNIA**

S088458

E025064 Fourth Appellate District,
Division Two

E025163

E025181

LOCKHEED MARTIN v. S.C. (CARRILLO)

Opinion filed: Judgment affirmed in full

Lead opinion by Werdegarr, J.

---joined by Kennard, J.

Concurring opinion by Brown, J. -- joined by
Baxter & Chin, JJ.

Concurring & Dissenting opinion by Moreno,
J. --- joined by George, C.J.

S100136

B136410 Second Appellate District,
Division Four

KOREA SUPPLY COMPANY v. LOCKHEED MARTIN CO

Opinion filed: Affirmed in part, reversed in part

and remanded to CA.

Majority Opinion by Moreno, J. -- joined by
Kennard ACJ, Baxter, Werdegarr, Rubin, JJ.

(Hon. Laurence D. Rubin, AJ CA2/8)

Concurring Opinion by Kennard, ACJ.

Concurring Opinion by Werdegarr, J.

Concurring and Dissenting Opinion by Chin, J.
joined by Brown, J.

S112635

B152939 Second Appellate District,
Division Two

PEOPLE v. LEWIS

Time extended to grant or deny review

To April 6, 2003.

S112754

B144175 Second Appellate District,
Division One

GIANNETAKIS v. GONSALVES

Time extended to grant or deny review

To April 4, 2003.

S112955

A098878 First Appellate District,
Division Five

INTERSHOP COMMUNICATIONS v. S.C. (MARTINEZ)

Time extended to grant or deny review

To April 17, 2003.

S112994

B162643 Second Appellate District,
Division Four

SAN MARINO v. W.C.A.B. (WELLS)

Time extended to grant or deny review

To April 17, 2003.

S113035

B155755 Second Appellate District,
Division Three

MORENO v. AMERICAN CONSTRUCTORS

Time extended to grant or deny review

To April 17, 2003.

H024568 Sixth Appellate District,

PEOPLE v. ANTHONY

Order filed

The time for granting review on the court's own motion is hereby extended to and including April 15, 2003. (Cal. Rules of Court, rule 28(a)(1).)

S111653

WILLIAMS ON DISCIPLINE

Recommended discipline imposed: disbarred

S111655

MENDEZ ON DISCIPLINE

Recommended discipline imposed

It is ordered that ARMANDO JAVIER MENDEZ, State Bar No. 138799, be suspended from the practice of law for one year and until he makes restitution as specified below, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for 90 days and until he makes restitution to Nicolas and Monica Casteneda (or the Client Security Fund if appropriate) in the amounts of \$500 and \$1170 plus 10% interest per annum from April 6, 1999, and August 19, 1999, respectively, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel, as recommended by the Hearing Department of the State Bar Court in its decision filed on September 4, 2002; and until the State Bar Court grants a

motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California. Respondent is also ordered to comply with the conditions of probation, if any hereinafter imposed by the State Bar Court as a condition for terminating his actual suspension. If respondent is actually suspended for two years or more, he shall remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that respondent take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of his actual suspension, whichever is longer. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that respondent comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S111656

LAUMBACH ON DISCIPLINE
Recommended discipline imposed

It is ordered that MARYELLEN LAUMBACH, State Bar No. 141093, be suspended from the practice of law for one year, that execution of suspension be stayed, and that she be placed on probation for two years on condition that she be actually suspended for 30 days. Respondent is also ordered to comply with the other conditions

of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed October 1, 2002. It is further ordered that she take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S111658**CODER ON DISCIPLINE**

Recommended discipline imposed

It is ordered that MICHAEL GARLAND CODER, State Bar No. 60825, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation, including 90 days actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on September 9, 2002. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S111718**MADSEN ON DISCIPLINE**

Recommended discipline imposed: disbarred

S111896**VERHOVSKOY ON DISCIPLINE**

Recommended discipline imposed

It is ordered that VLADIMIR VERHOVSKOY, State Bar No. 97039, be suspended from the practice of law for two years, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including 180 days actual suspension and until he pays sanctions to CIF Holdings, L.P., in the amount of \$500; to the Clerk of the Court, Ninth Circuit Court of Appeals, in the amount of \$2,500, and furnishes satisfactory proof thereof to the Probation Unit, State Bar Office of the Chief Trial Counsel, recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on September 30, 2002, as modified by its order filed October 23, 2002. It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Costs are awarded to the State Bar and one-third of said costs shall be added to and become part of the membership fees for the years 2004, 2005 and 2006. (Business & Professions Code section 6086.10.)

S111897**VITALE ON DISCIPLINE**

Recommended discipline imposed

It is ordered that ANGELO VITALE, State Bar No. 117638, be suspended from the practice of law for four years, that execution of the suspension be stayed, and that he be placed on probation for five years on condition that he be actually suspended for eighteen (18) months. Respondent is further ordered to comply with the other conditions of probation including restitution recommended by the Hearing Department of the State Bar Court in its order approving

stipulation filed on September 27, 2002, as modified by its order filed October 31, 2002. It is also ordered that respondent take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Credit toward the period of actual suspension shall be given for the period of involuntary inactive enrollment which commenced on February 10, 2001. Costs are awarded to the State Bar and one-third of said costs shall be added to and become part of the membership fees for the years 2004, 2005 and 2006. (Bus. & Prof. Code, § 6086.10.)

S111898**SHADDUCK ON DISCIPLINE****Recommended discipline imposed**

It is ordered that MARIANNE ELIZABETH SHADDUCK, State Bar No. 145961, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that she be actually suspended from the practice of law for 30 days, as recommended by the Hearing Department of the State Bar Court in its decision filed on July 22, 2002, as amended by its order filed September 30, 2002; and until the State Bar Court grants a motion to terminate her actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California. Marianne Elizabeth Shadduck is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating her actual suspension. If Marianne Elizabeth Shadduck is actually suspended for two years or more, she shall remain actually suspended until she provides proof to the satisfaction of the State Bar Court of her rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. It is further ordered

that Marianne Elizabeth Shadduck take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order or during the period of her actual suspension, whichever is longer. (See Segretti v. State Bar (1976) 15 Cal.3d 878, 891, fn. 8.) If Marianne Elizabeth Shadduck is actually suspended for 90 days or more, it is further ordered that she comply with rule 955 of the California Rules of Court, and that she perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S113479

AUGUST ON DISCIPLINE

Case dismissed -- resignation accepted in related case

Related case S113863

S113691

GARCIA ON RESIGNATION

Resignation accepted with disc. proceeding pending

S113836

ZAR ON RESIGNATION

Resignation accepted with disc. proceeding pending

S113847

GUDZ-ARMSTRONG ON RESIGNATION

Resignation accepted with disc. proceeding pending

S113853

SHAW ON RESIGNATION

Resignation accepted with disc. proceeding pending

S113863

AUGUST ON RESIGNATION

Resignation accepted with disc. proceeding pending

S113864

NICHOLS ON RESIGNATION

Resignation accepted with disc. proceeding pending